



Reprinted
February 26, 2002

ENGROSSED SENATE BILL No. 25

DIGEST OF SB 25 (Updated February 25, 2002 6:00 PM - DI 105)

Citations Affected: IC 20-12; noncode.

Synopsis: Allows Indiana University, Purdue University, Indiana State University, the University of Southern Indiana, and Ball State University to construct, improve, furnish, operate, and manage medical research facilities associated with a school of medicine if the facilities will generate revenue in amounts that are at least equal to the annual debt service requirements of the bonds for the facilities for each fiscal year that the bonds are outstanding. Extends the public college and university tuition and fee remission program to children of veterans who, after June 30, 1999, serve during a war or perform hazardous duty. Allows the trustees of Indiana University to: (1) issue bonds to fund the costs of acquiring and renovating University Place Hotel; and (2) acquire and renovate University Place Hotel. (The introduced version of this bill was prepared by the commission on military and veterans affairs.)

Effective: July 1, 2002.

Paul, Craycraft

(HOUSE SPONSORS — GIAQUINTA, ALDERMAN, KRUZAN, COCHRAN,
FRIZZELL)

November 20, 2001, read first time and referred to Committee on Public Policy.
January 24, 2002, reported favorably — Do Pass.
January 28, 2002, read second time, ordered engrossed.
January 29, 2002, engrossed. Read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

January 31, 2002, read first time and referred to Committee on Ways and Means.
February 21, 2002, reported — Do Pass.
February 25, 2002, read second time, amended, ordered engrossed.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED SENATE BILL No. 25

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-12-8-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) The trustees of
3 Indiana University, the trustees of Purdue University, Indiana State
4 University board of trustees, the University of Southern Indiana board
5 of trustees, and the Ball State University board of trustees are
6 authorized and empowered, from time to time, if the governing boards
7 of these corporations find that a necessity exists, to erect, construct,
8 reconstruct, extend, remodel, improve, complete, equip, furnish,
9 operate, control and manage:
10 (1) dormitories and other housing facilities for single and married
11 students and school personnel;
12 (2) food service facilities;
13 (3) student infirmaries and other health service facilities including
14 revenue-producing hospital facilities serving the general public,
15 together with parking facilities and other appurtenances in
16 connection with any of the foregoing; ~~or~~
17 (4) parking facilities in connection with academic facilities; **or**

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(5) medical research facilities associated with a school of medicine, if the facilities will generate revenue from state, federal, local, or private gifts, grants, contractual payments, or reimbursements in an amount that is reasonably expected to be at least equal to the annual debt service requirements of the bonds for the facility for each fiscal year that the bonds are outstanding;

at or in connection with Indiana University, Purdue University, Indiana State University, the University of Southern Indiana, and Ball State University, for the purposes of the respective institutions. These corporations are also authorized and empowered to acquire, by purchase, lease, condemnation, gift or otherwise, any property, real or personal, that in the judgment of these corporations is necessary for the purposes set forth in this section. The corporations may improve and use any property acquired for the purposes set forth in this section.

(b) Title to all property so acquired, including the improvements located on the property, shall be taken and held by and in the name of the corporations. If the governing board of any of these corporations determines that real estate, the title to which is in the name of the state, for the use and benefit of the corporation or institution under its control, is reasonably required for any of the purposes set forth in this section, the real estate may, upon request in writing of the governing board of the corporation to the governor of the state and upon the approval of the governor, be conveyed by deed from the state to the corporation. The governor shall be authorized to execute and deliver the deed in the name of the state, signed on behalf of the state by the governor, attested by the auditor of state and with the seal of the state affixed to the deed.

SECTION 2. IC 20-12-19-1, AS AMENDED BY P.L.52-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) As used in this section, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

(b) This section applies to the following persons:

(1) A person who:

- (A) is a pupil at the Soldiers' and Sailors' Children's Home;
- (B) was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States;
- (C) is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and
- (D) possesses the requisite academic qualifications.



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(2) A person:

(A) whose mother or father:

- (i) served in the armed forces of the United States;
- (ii) received the Purple Heart decoration or was wounded as a result of enemy action; and
- (iii) received a discharge or separation from the armed forces other than a dishonorable discharge;

(B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and

(C) who possesses the requisite academic qualifications.

(3) A person:

(A) whose mother or father:

- (i) served ~~before July 1, 1999~~, in the armed forces of the United States during any war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States;
- (ii) suffered a service connected death or disability as determined by the United States Department of Veterans Affairs; and
- (iii) received any discharge or separation from the armed forces other than a dishonorable discharge;

(B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend, as determined by the institution; and

(C) who possesses the requisite academic qualifications.

(c) Beginning with the semester or term that begins in the fall of 2000, a person described in subsection (b) is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any tuition or mandatory fees for one hundred twenty-four (124) semester credit hours in the state educational institution. For purposes of this chapter, the commission for higher education of the state of Indiana (IC 20-12-0.5-2) shall define mandatory fees in consultation with the state student assistance commission (IC 20-12-21-4).

(d) If an applicant:

- (1) is permitted to matriculate in the state educational institution;
- (2) shall qualify under this chapter; and
- (3) shall have earned or been awarded a cash scholarship which is paid or payable to such institution, from whatsoever source;



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1 the amount paid shall be applied to the credit of such applicant in the
 2 payment of incidental expenses of the applicant's attendance at the
 3 institution, and any balance, if the terms of the scholarship permit, shall
 4 be returned to such applicant.

5 (e) Determination of eligibility for higher education benefits
 6 authorized under this section is vested exclusively in the Indiana
 7 department of veterans' affairs. Any applicant for these benefits may
 8 make a written request for a determination of eligibility by the Indiana
 9 department of veterans' affairs. The director or deputy director of the
 10 department shall make a written determination of eligibility in response
 11 to each request. In determining the amount of an individual's benefit,
 12 the state student assistance commission shall consider other higher
 13 education financial assistance as provided in section 2 of this chapter.

14 (f) An appeal from an adverse determination shall be made in
 15 writing to the veterans' affairs commission not more than fifteen (15)
 16 working days following the applicant's receipt of the determination. A
 17 final order shall be made by a simple majority of the veterans' affairs
 18 commission not more than fifteen (15) days following receipt of the
 19 written appeal.

20 (g) A person who knowingly or intentionally submits a false or
 21 misleading application or other document under this section commits
 22 a Class A misdemeanor.

23 **SECTION 3. [EFFECTIVE JULY 1, 2002] The trustees of Indiana**
 24 **University are authorized to issue bonds under IC 20-12-8, subject**
 25 **to approvals required in IC 20-12-6 and IC 20-12-5.5, for the**
 26 **purpose of funding the costs of acquisition and renovation of the**
 27 **University Place Hotel on the Indianapolis Campus, and to acquire**
 28 **and renovate the hotel facility, so long as the principal costs of any**
 29 **bonds issued do not exceed thirty million dollars (\$30,000,000). For**
 30 **purposes of this SECTION, "principal costs" of the bonds include**
 31 **all acquisition, renovation, installation, planning, and other related**
 32 **costs, but do not include additional costs incidental to the financing**
 33 **that may also be financed in addition thereto. Bonds issued under**
 34 **the authority of this SECTION are not entitled to fee replacement**
 35 **appropriations.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 25, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 25 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 25, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 25, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 25 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-12-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) The trustees of Indiana University, the trustees of Purdue University, Indiana State University board of trustees, the University of Southern Indiana board of trustees, and the Ball State University board of trustees are authorized and empowered, from time to time, if the governing boards of these corporations find that a necessity exists, to erect, construct, reconstruct, extend, remodel, improve, complete, equip, furnish, operate, control and manage:

- (1) dormitories and other housing facilities for single and married students and school personnel;
- (2) food service facilities;
- (3) student infirmaries and other health service facilities including revenue-producing hospital facilities serving the general public, together with parking facilities and other appurtenances in connection with any of the foregoing; ~~or~~
- (4) parking facilities in connection with academic facilities; ~~or~~
- (5) medical research facilities associated with a school of medicine, if the facilities will generate revenue from state, federal, local, or private gifts, grants, contractual payments, or reimbursements in an amount that is reasonably expected to be at least equal to the annual debt service requirements of the bonds for the facility for each fiscal year that the bonds are outstanding;**

at or in connection with Indiana University, Purdue University, Indiana State University, the University of Southern Indiana, and Ball State University, for the purposes of the respective institutions. These corporations are also authorized and empowered to acquire, by purchase, lease, condemnation, gift or otherwise, any property, real or personal, that in the judgment of these corporations is necessary for the purposes set forth in this section. The corporations may improve and use any property acquired for the purposes set forth in this section.

(b) Title to all property so acquired, including the improvements located on the property, shall be taken and held by and in the name of the corporations. If the governing board of any of these corporations determines that real estate, the title to which is in the name of the state, for the use and benefit of the corporation or institution under its

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control, is reasonably required for any of the purposes set forth in this section, the real estate may, upon request in writing of the governing board of the corporation to the governor of the state and upon the approval of the governor, be conveyed by deed from the state to the corporation. The governor shall be authorized to execute and deliver the deed in the name of the state, signed on behalf of the state by the governor, attested by the auditor of state and with the seal of the state affixed to the deed."

Renumber all SECTIONS consecutively.

(Reference is to ESB 25 as printed February 22, 2002.)

COCHRAN

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 25 be amended to read as follows:

Page 3, after line 19, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2002] The trustees of Indiana University are authorized to issue bonds under IC 20-12-8, subject to approvals required in IC 20-12-6 and IC 20-12-5.5, for the purpose of funding the costs of acquisition and renovation of the University Place Hotel on the Indianapolis Campus, and to acquire and renovate the hotel facility, so long as the principal costs of any bonds issued do not exceed thirty million dollars (\$30,000,000). For purposes of this SECTION, "principal costs" of the bonds include all acquisition, renovation, installation, planning, and other related costs, but do not include additional costs incidental to the financing that may also be financed in addition thereto. Bonds issued under the authority of this SECTION are not entitled to fee replacement appropriations. "

(Reference is to ESB 25 as printed February 22, 2002.)

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